

JOURNAL OF THE HOUSE

NINETY-FIRST SESSION

TWENTY-THIRD DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Thursday, February 18, 2016

The House convened at 2:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Pastor John Fette, followed by the Pledge of Allegiance led by House pages Hannah Carlson and Evangeline Gabel.

Roll Call: All members present except Rep. Kaiser who was excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the twenty-second day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Dean Wink, Chair

Which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on Agriculture and Natural Resources respectfully reports that it has had under consideration HB 1223 which was tabled.

Also MR. SPEAKER:

The Committee on Agriculture and Natural Resources respectfully reports that it has had under consideration HB 1211 which was deferred to the 41st Legislative Day.

Respectfully submitted,
Lee Qualm, Chair

Also MR. SPEAKER:

The Committee on Taxation respectfully reports that it has had under consideration SB 53 and 59 and returns the same with the recommendation that said bills do pass.

Also MR. SPEAKER:

The Committee on Taxation respectfully reports that it has had under consideration SB 52 and returns the same with the recommendation that said bill do pass and be placed on the consent calendar.

Also MR. SPEAKER:

The Committee on Taxation respectfully reports that it has had under consideration HB 1106 and returns the same with the recommendation that said bill be amended as follows:

1106rc

On the printed bill, delete everything after the enacting clause and insert:

" Section 1. That § 43-13-24 be amended to read:

43-13-24. Each wind turbine tower of a large wind energy system shall be set back at least five hundred feet or 1.1 times the height of the tower, whichever distance is greater, from any surrounding property line. Each wind turbine tower shall also be set back one thousand feet from an occupied structure. However, if the owner of the wind turbine tower has a written agreement with an adjacent land owner allowing the placement of the tower closer to the property line, the tower may be placed closer to the property line shared with that adjacent land

1 owner. The exclusive remedy against any entity that erects a wind turbine tower in violation of
2 this section is to pay the adjacent landowner three times the fair market value of the land falling
3 within the setbacks imposed by this section."

4 1106rta

5 On page 1, line 1, of the printed bill, delete everything after "Act to" and insert "revise
6 certain codes and standards regarding wind energy system set back requirements.".

7 On page 1, delete lines 2 and 3.

8 And that as so amended said bill do pass.

9 Respectfully submitted,
10 Roger D. Solum, Chair

11 Also MR. SPEAKER:

12 The Committee on Health and Human Services respectfully reports that it has had under
13 consideration HB 1198 and returns the same with the recommendation that said bill do pass.

14 Also MR. SPEAKER:

15 The Committee on Health and Human Services respectfully reports that it has had under
16 consideration HB 1162 and returns the same with the recommendation that said bill be amended
17 as follows:

18 1162ra

19 On the printed bill, delete everything after the enacting clause and insert:

20 " Section 1. That the code be amended by adding a NEW SECTION to read:

21 Terms used in this Act mean:

22 (1) "Advisory committee," the midwife advisory committee established pursuant to
23 section 6 of this Act;

24 (2) "Approved program," an educational program of study leading to eligibility for
25 certification as a midwife that is approved or accredited by the midwifery education
26 accreditation council (MEAC);

27 (3) "Board," the South Dakota Board of Nursing;

1 (4) "Certified professional midwife" or "CPM," a practitioner duly authorized under this
2 chapter to practice the midwife model of care;

3 (5) "Client," a woman under the care of a certified professional midwife;

4 (6) "License" the written authorization by the board required to practice as a certified
5 professional midwife.

6 Section 2. That the code be amended by adding a NEW SECTION to read:

7 No person may practice or offer to practice as a certified professional midwife in this state
8 unless the person is currently licensed to practice by the board.

9 Section 3. That the code be amended by adding a NEW SECTION to read:

10 This Act does not prohibit the performance of the functions of a certified professional
11 midwife if performed:

12 (1) In an emergency situation;

13 (2) By a certified nurse midwife authorized to practice in South Dakota;

14 (3) By a student midwife enrolled in an approved program who is under the direct
15 supervision of a preceptor which could include a physician, a certified nurse midwife,
16 or a certified professional midwife licensed by the State of South Dakota; or

17 (4) By any person exempt pursuant to § 36-2-20.

18 Section 4. That the code be amended by adding a NEW SECTION to read:

19 No person may be licensed to practice as a certified professional midwife unless the person
20 has:

21 (1) Obtained the certified professional midwife (CPM) credential; and

22 (2) For the licensure of a certified professional midwife who obtains certification after
23 December 31, 2019, each applicant for licensure must have completed an educational
24 program or pathway accredited by the Midwifery Education Accreditation Council
25 (MEAC); or

26 (3) For a certified professional midwife who obtained certification through an
27 educational pathway not accredited by MEAC:

28 (a) A certified professional midwife certified before January 1, 2020, through a
29 non accredited pathway must obtain the midwifery bridge certificate issued by
30 the North American Registry of Midwives before applying for licensure in
31 South Dakota;

1 (b) A certified professional midwife who has maintained licensure in a state that
2 does not require an accredited education must obtain the midwifery bridge
3 certificate regardless of the date of certification before applying for licensure
4 in South Dakota.

5 Section 5. That the code be amended by adding a NEW SECTION to read:

6 The practice in this state as a certified professional midwife is subject to the control and
7 regulation of the South Dakota Board of Nursing. The board may license, supervise the practice,
8 and revoke or suspend licenses or otherwise discipline any person applying for or practicing as
9 a certified professional midwife.

10 Section 6. That the code be amended by adding a NEW SECTION to read:

11 The Board of Nursing shall appoint a midwife advisory committee composed of three
12 certified professional midwives, one certified nurse midwife, and one South Dakota citizen who
13 has received midwifery care in an out-of-hospital setting. The Board of Nursing shall select
14 committee members from a list of applicants. Each committee member shall serve a term of
15 three years. However, the terms of initial appointees shall be staggered so that no more than two
16 members' terms expire in any one year. No committee member may be appointed to more than
17 three consecutive full terms. If a vacancy occurs, the board shall appoint a person to fill the
18 unexpired term. The appointment of a member to an unexpired term is not considered a full
19 term. The committee shall meet at least annually and as necessary to conduct business. The
20 advisory committee shall assist the board in the regulation of certified professional midwives
21 pursuant to this Act. The committee shall make recommendations to the board regarding rules
22 promulgated pursuant to this Act. Appointments to the advisory committee may include certified
23 professional midwives from other states who are licensed under this Act. Initial appointments
24 may include certified professional midwives living in other states who would qualify for
25 licensure under this Act.

26 Section 7. That the code be amended by adding a NEW SECTION to read:

27 An applicant for licensure as a certified professional midwife shall file with the board an
28 application, verified by oath, on a form prescribed by the board and accompanied by the
29 prescribed fee. If the board finds that the applicant satisfies the requirements for licensure in
30 section 4 of this Act and passes a background check required by section 8 of this Act, the board
31 shall issue to the applicant a license to practice as a certified professional midwife.

32 Section 8. That the code be amended by adding a NEW SECTION to read:

33 Each applicant for licensure as a certified professional midwife in this state shall submit to
34 a state and federal criminal background investigation by means of fingerprint checks by the
35 Division of Criminal Investigation and the Federal Bureau of Investigation. Upon application,
36 the board shall submit completed fingerprint cards to the Division of Criminal Investigation.
37 Upon completion of the criminal background check, the Division of Criminal Investigation shall
38 forward to the board all information obtained as a result of the criminal background check. This
39 information shall be obtained prior to permanent licensure of the applicant. Failure to submit
40 or cooperate with the criminal background investigation is grounds for denial of an application.

1 The applicant shall pay for any fees charged for the cost of fingerprinting or the criminal
2 background investigation.

3 Section 9. That the code be amended by adding a NEW SECTION to read:

4 For the purposes of this Act, the practice of a certified professional midwife is the
5 management and care of the low-risk mother-baby unit in an out-of-hospital setting during
6 pregnancy, labor, delivery, and postpartum periods in accordance with national professional
7 midwifery standards, including:

- 8 (1) Initial and ongoing assessment for suitability of midwifery care;
- 9 (2) Providing prenatal education and coordinating with a licensed health care provider
10 as necessary to provide comprehensive prenatal care, including the routine
11 monitoring of vital signs, indicators of fetal development, and laboratory tests, as
12 needed, with attention to the physical, nutritional, and emotional needs of the mother
13 and her family;
- 14 (3) Providing informed consent pursuant to section 31 of this Act;
- 15 (4) Attending and supporting the natural process of labor and birth in an out of hospital
16 setting, including in a licensed birth center;
- 17 (5) Postpartum care of the mother and an initial assessment and screening of the
18 newborn;
- 19 (6) Providing information and referrals to community resources on childbirth
20 preparation, breastfeeding, exercise, nutrition, parenting, and care of the newborn;
21 and
- 22 (7) Limited prescriptive authority to administer:
 - 23 (a) Vitamin K to the baby either orally or through intramuscular injection;
 - 24 (b) Postpartum antihemorrhagic medication under an emergency situation;
 - 25 (c) Local anesthetic for repair of a first or second degree perineal laceration;
 - 26 (d) Oxygen;
 - 27 (e) Eye prophylaxis; and
 - 28 (f) Other medications approved by the board;
- 29 (8) Preparing and filing birth certificates pursuant to § 34-25-9.1.

1 Section 10. That the code be amended by adding a NEW SECTION to read:

2 For the purposes of this Act, the practice of a certified professional midwife does not
3 include:

4 (1) The use of any surgical instrument at a childbirth, except as necessary to sever the
5 umbilical cord or repair a first or second degree perineal laceration;

6 (2) Prescribing prescription medications including controlled drugs, except as permitted
7 pursuant to subdivision (7) of section 9 of this Act;

8 (3) The assisting of childbirth by artificial or mechanical means including forceps,
9 vacuum delivery, or cesarean delivery; or

10 (4) Performing or assisting in an abortion.

11 Section 11. That the code be amended by adding a NEW SECTION to read:

12 Upon application for biennial renewal by a licensee, the board shall renew the license if the
13 applicant:

14 (1) Provides evidence of meeting the recertification requirements for CPM recertification
15 by the North American Registry of Midwives (NARM);

16 (2) Provides evidence that the licensee has a minimum of 140 hours in a 12 month
17 period, or 480 hours in a six year period, of patient care, employment, or volunteer
18 work in midwifery;

19 (3) Submits an affidavit that the licensee has committed no act of misconduct as set forth
20 by section 18 of this Act; and

21 (4) Submits the application for renewal and pays renewal fees, as required by sections
22 12 and 15 of this Act.

23 The board shall establish an expiration date for the renewal license.

24 Section 12. That the code be amended by adding a NEW SECTION to read:

25 The license of any person licensed pursuant to this Act shall be renewed biennially, except
26 as provided in section 14 of this Act. The board shall provide a notice for renewal of license to
27 each license holder at least ninety days prior to the expiration date of the person's license. The
28 license holder shall, before the expiration date, return to the board the notice and the prescribed
29 fee. Upon receipt of the notice and fee, the board shall issue to the license holder a certificate
30 of renewal if the licensee meets the criteria in section 11 of this Act. The certificate of renewal
31 must indicate the effective period of the certificate of renewal.

1 Section 13. That the code be amended by adding a NEW SECTION to read:

2 A license holder who fails to renew the license pursuant to sections 11 and 12 of this Act
3 may be reinstated upon the terms and conditions prescribed by the board and upon payment of
4 the prescribed fee.

5 Section 14. That the code be amended by adding a NEW SECTION to read:

6 The holder of a current license may file with the board a written application, together with
7 the prescribed fee, requesting inactive status and stating the reasons for the request.

8 Section 15. That the code be amended by adding a NEW SECTION to read:

9 The board shall promulgate by rule, pursuant to chapter 1-26, and shall collect in advance
10 the following nonrefundable fees from applicant:

11 (1) For initial licensure or endorsement from another state, not more than one thousand
12 dollars;

13 (2) For biennial renewal of license, not more than one thousand five hundred dollars;

14 (3) For reinstatement of a lapsed license, the current renewal fee and not more than five
15 hundred dollars;

16 (4) For providing a transcript, not more than twenty-five dollars;

17 (5) For effecting a name change on the records of the license holder, not more than one
18 hundred dollars;

19 (6) For issuance of a duplicate license, not more than one hundred fifty dollars;

20 (7) For placing a license on inactive status, not more than one hundred dollars;

21 (8) For endorsement to another state, territory, or foreign country, not more than one
22 hundred fifty dollars.

23 Section 16. That the code be amended by adding a NEW SECTION to read:

24 All fees received by the board, and money collected under this Act, shall be deposited in a
25 bank as authorized by the board. The funds are subject to withdrawal as authorized by the board.
26 A report of all receipts and expenditures of funds shall be made at the close of each fiscal year
27 and filed in the office of the state auditor.

28 Section 17. That the code be amended by adding a NEW SECTION to read:

29 Any balance of fees received by the board after payment of compensation and expenditures
30 shall be held by the board and may only be used in administering this Act.

1 Section 18. That the code be amended by adding a NEW SECTION to read:

2 The board may deny, revoke, or suspend any license or application for licensure to practice
3 as a certified professional midwife in this state, and may take such other disciplinary or
4 corrective action as the board deems appropriate upon proof that the license holder or applicant
5 has:

6 (1) Committed fraud, deceit, or misrepresentation in procuring or attempting to procure
7 a license;

8 (2) Aided or abetted an unlicensed person to practice as a certified professional midwife;

9 (3) Engaged in practice as a certified professional midwife under a false or assumed
10 name and failed to register that name pursuant to chapter 37-11, or impersonated
11 another license holder of a like or different name;

12 (4) Committed an alcohol or drug related act or offense that interferes with the ability to
13 practice midwifery safely;

14 (5) Negligently, willfully, or intentionally acted in a manner inconsistent with the health
15 and safety of those entrusted to the license holder's care;

16 (6) Had authorization to practice as a certified professional midwife denied, revoked, or
17 suspended or had other disciplinary action taken in another state;

18 (7) Practiced in South Dakota as a certified professional midwife without a valid license;

19 (8) Engaged in the performance of certified professional midwifery or a medical function
20 beyond the scope of practice authorized by the board;

21 (9) Violated any provision of this Act or rule promulgated pursuant to this Act;

22 (10) Been convicted of a felony. The conviction of a felony means the conviction of any
23 offense which, if committed within the State of South Dakota, would constitute a
24 felony under its laws.
25

26 Section 19. That the code be amended by adding a NEW SECTION to read:

27 The board may initiate a proceeding for revocation or suspension of a license if the board
28 has information that any person may have been guilty of any misconduct as provided in
29 section 18 of this Act, or is guilty of incompetence or unprofessional or dishonorable conduct.

30 Section 20. That the code be amended by adding a NEW SECTION to read:

31 Any proceeding related to the revocation or suspension of a license shall conform to the
32 procedures set forth in chapter 1-26. A license may be revoked or suspended only at a hearing
33 attended by a quorum of the members of the board.

1 Section 21. That the code be amended by adding a NEW SECTION to read:

2 The board may take action authorized by section 18 of this Act upon satisfactory showing
3 that the physical or mental condition of the license holder or applicant is determined by a
4 competent medical examiner to be such as to jeopardize or endanger the health of those
5 entrusted to the license holder's or applicant's care. The board may demand an examination of
6 a license holder or applicant by a competent medical examiner selected by the board at their
7 expense. If a license holder fails to submit to the examination, the failure constitutes immediate
8 grounds for suspension of the license holder's license.

9 Section 22. That the code be amended by adding a NEW SECTION to read:

10 An aggrieved party may appeal a board's decision pursuant to chapter 1-26.

11 Section 23. That the code be amended by adding a NEW SECTION to read:

12 A revoked or suspended license may be reissued at the discretion of the board upon a finding
13 of good cause.

14 Section 24. That the code be amended by adding a NEW SECTION to read:

15 No person may:

16 (1) Practice or offer to practice as a certified professional midwife without being licensed
17 pursuant to this Act;

18 (2) Sell or fraudulently obtain or furnish a diploma, license, renewal of license, or any
19 other record necessary to practice under this Act or aid or abet in such actions;

20 (3) Practice as a certified professional midwife under cover of any diploma, license,
21 renewal of license, or other record necessary to practice under this Act that was
22 issued unlawfully or under fraudulent representation;

23 (4) Use in connection with that person's name a sign, card, device or other designation
24 that implies that the person is a certified professional midwife without being licensed
25 pursuant to this Act;

26 (5) Practice as a certified professional midwife during the time that the person's license
27 has lapsed or has been revoked or suspended.

28 A violation of this section is a Class 1 misdemeanor.

29 Section 25. That the code be amended by adding a NEW SECTION to read:

30 It is necessary to prove in any prosecution only a single act prohibited by law, or a single
31 holding out, or a single attempt, without proving a general course of conduct in order to
32 constitute a violation of this Act.

1 Section 26. That the code be amended by adding a NEW SECTION to read:

2 The board may prosecute any person violating this Act and may incur the necessary
3 expenses.

4 Section 27. That the code be amended by adding a NEW SECTION to read:

5 The board may apply for an injunction in the circuit court for the county of the person's
6 residence to enjoin any person who:

7 (1) Is unlawfully practicing as a certified professional midwife with a license issued by
8 the board;

9 (2) Is practicing as a certified professional midwife under a license that has lapsed or has
10 been suspended or revoked;

11 (3) Is engaging as a certified professional midwife in the performance of medical
12 functions beyond the scope of practice authorized by section 9 and 10 of this Act;

13 (4) Is, by reason of a physical or mental condition, endangering, or threatening to
14 endanger, the health or safety of those entrusted to that person's care as a certified
15 professional midwife.

16 Section 28. That the code be amended by adding a NEW SECTION to read:

17 Upon the filing of a verified complaint, the court, if satisfied by affidavit or otherwise, that
18 the person is or has been engaging in unlawful or dangerous practice as described in section 27
19 of this Act, may issue a temporary injunction, without notice or bond, enjoining that person
20 from further practice as a certified professional midwife.

21 Section 29. That the code be amended by adding a NEW SECTION to read:

22 An action for injunction is an alternative to criminal proceedings, and the commencement
23 of one proceeding by the board constitutes an election.

24 Section 30. That the code be amended by adding a NEW SECTION to read:

25 The board may promulgate rules pursuant to chapter 1-26 pertaining to:

26 (1) Licensing and licenses;

27 (2) The practice of midwifery;

28 (3) Scope of midwifery practice;

29 (4) Disciplinary proceedings;

30 (5) Fees; and

1 (6) Approval of midwifery education programs.

2 Section 31. That the code be amended by adding a NEW SECTION to read:

3 A certified professional midwife shall, at an initial consultation with a client, provide a copy
4 of an informed consent document to be signed by the certified professional midwife and the
5 client that discloses all of the following in writing:

6 (1) The name, address, telephone number, and license number of the certified
7 professional midwife;

8 (2) The certified professional midwife's experience, qualifications, and training;

9 (3) The certified professional midwife's fees and method of billing;

10 (4) The right of a client to file a complaint with the board and the procedures for filing
11 a complaint;

12 (5) Whether the certified professional midwife has malpractice liability insurance;

13 (6) A plan for consultation, referral, and transport for medical emergencies specific to
14 each client, including identification of the closest hospital with an obstetrics
15 department and the closest hospital with an emergency department;

16 (7) A list of antepartum, intrapartum, and postpartum conditions that would require
17 consultation, transfer of care, or transport to a hospital;

18 (8) A statement indicating that a certified professional midwife will continue to care for
19 a client until transfer of care has been completed including the transfer of all
20 pertinent records;

21 (9) The scope of care and services the certified professional midwife can provide to the
22 client;

23 (10) A statement indicating that the client's records and any transaction with the certified
24 professional midwife are confidential unless required by the board for review;

25 (11) The right of a client to refuse service unless otherwise provided by law;

26 (12) The client's and certified professional midwife's signatures and date of signing.

27 Section 32. That the code be amended by adding a NEW SECTION to read:

28 No other licensed health care provider or hospital or agent thereof is liable for an injury
29 resulting from an act or omission by a certified professional midwife, even if the health care
30 provider has consulted with or accepted a referral from the certified professional midwife.

1 Section 33. That chapter 36-9A be amended by adding a NEW SECTION to read:

2 Nothing in this chapter restricts the right of a certified professional midwife to practice in
3 accordance with this Act.

4 Section 34. That chapter 36-4 be amended by adding a NEW SECTION to read:

5 Nothing in this chapter restricts the right of a certified professional midwife to practice in
6 accordance with this Act."

7 And that as so amended said bill do pass.

8 Also MR. SPEAKER:

9 The Committee on Health and Human Services respectfully reports that it has had under
10 consideration HB 1186 which was tabled.

11 Respectfully submitted,
12 Scott Munsterman, Chair

13 Also MR. SPEAKER:

14 The Committee on Transportation respectfully reports that it has had under consideration
15 HB 1230 and returns the same with the recommendation that said bill be amended as follows:

16 1230fb

17 On the printed bill, delete everything after the enacting clause and insert:

18 " Section 1. That chapter 32-17 be amended by adding a NEW SECTION to read:

19 Any animal-drawn vehicle operating on a highway during the period from a half hour after
20 sunset to a half hour before sunrise and at any other time when there is not sufficient light to
21 render the vehicle clearly discernible to any person on the highway at a distance of two hundred
22 feet ahead, shall be equipped with a flashing amber light that is visible from the front of the
23 vehicle and a red flashing light visible from the rear of the vehicle. The red flashing light shall
24 have a minimum diameter of four inches with at least three square inches of surface. A violation
25 of this section is a Class 2 misdemeanor."

26 1230ota

27 On page 1, line 1, of the printed bill, delete everything after "Act to" and insert "require
28 lights on certain animal-drawn vehicles while operating on a highway."

1 On page 1, delete line 2.

2 And that as so amended said bill do pass.

3 Also MR. SPEAKER:

4 The Committee on Transportation respectfully reports that it has had under consideration
5 HB 1137 and returns the same with the recommendation that said bill be amended as follows:

6 1137oa

7 On page 2 of the printed bill, delete lines 6 to 11, inclusive, and insert:

8 "shall be distributed as follows:

9 (1) One and three-fourths percent shall be credited to the state motor vehicle fund;

10 (2) Two and one-half percent shall be credited to the state license plate special revenue
11 fund;

12 (3) One-fourth of one percent shall be credited to the county treasurer fund to cover
13 expenses for supplies such as toner, paper, etc.;

14 (4) Sixty-seven percent shall be credited to the county road and bridge fund;

15 (5) Twenty-three percent shall be placed in the special highway fund and shall be
16 distributed to the townships in accordance with §§ 32-11-5 to 32-11-7, inclusive; and

17 (6) Five and one-half percent shall be distributed to municipalities within the county in
18 accordance with subdivision 32-11-4.1(3)."

19 And that as so amended said bill do pass.

20 Respectfully submitted,
21 Mary Duvall, Vice-Chair

22 Also MR. SPEAKER:

23 The Committee on Local Government respectfully reports that it has had under
24 consideration HB 1149 and returns the same with the recommendation that said bill be amended
25 as follows:

1 1149ya

2 On page 1, line 8, of the printed bill, after "." insert "No district may be formed within three
3 miles of an incorporated municipality unless a resolution of approval is passed by majority vote
4 of the governing body of that municipality."

5 On page 1, line 11, delete "if".

6 On page 1, delete line 12.

7 On page 1, line 13, delete everything before "if" .

8 On page 2, line 6, after "district" insert "and the resolution of approval of any incorporated
9 municipality within three miles of the boundaries of the proposed district".

10 And that as so amended said bill do pass.

11 Also MR. SPEAKER:

12 The Committee on Local Government respectfully reports that it has had under
13 consideration HB 1194, 1195, and 1196 which were deferred to the 41st Legislative Day.

14 Respectfully submitted,
15 Herman Otten, Vice-Chair

16 **MESSAGES FROM THE SENATE**

17 MR. SPEAKER:

18 I have the honor to return herewith HB 1010, 1013, 1014, 1081, 1082, 1105, and 1170
19 which have passed the Senate without change.

20 Also MR. SPEAKER:

21 I have the honor to transmit herewith SB 114 and 142 which have passed the Senate and
22 your favorable consideration is respectfully requested.

23 Respectfully,
24 Kay Johnson, Secretary

1

MOTIONS AND RESOLUTIONS

2 HCR 1014 Introduced by: Representatives Craig, Anderson, Bolin, Brunner, Campbell,
3 DiSanto, Feickert, Gosch, Greenfield (Lana), Haggar (Don), Haugaard, Heinemann (Leslie),
4 Holmes, Hunt, Klumb, Langer, Latterell, Marty, May, McCleerey, Munsterman, Partridge,
5 Peterson (Kent), Qualm, Rasmussen, Russell, Schoenfish, Stalzer, Tulson, Verchio, Werner,
6 Westra, Wiik, and Zikmund and Senators Haggar (Jenna), Curd, Greenfield (Brock), Heineman
7 (Phyllis), Holien, Jensen (Phil), Monroe, Novstrup (David), Olson, and Van Gerpen

8 A CONCURRENT RESOLUTION, Calling for the United States to save Christians from
9 persecution and genocide.

10 WHEREAS, Christians and Yazidis are targets of genocide by ISIS in Iraq, Syria, and Libya
11 and are targets for persecution in many other parts of the world; and

12 WHEREAS, Christians throughout the world are persecuted for practicing their faith; and

13 WHEREAS, Christians, Jews, and those of other faiths are being personally attacked,
14 kidnapped, injured, enslaved, and killed in large numbers not seen since the Middle Ages; and

15 WHEREAS, Christians and other faiths are being forcibly removed from their ancestral
16 homelands which they have occupied since the birth of Christ; and

17 WHEREAS, Christian churches are attacked, burned, ransacked, and destroyed throughout
18 the world; and

19 WHEREAS, such destruction to Christians and people of other faiths is taking place in
20 Africa, Asia, the Pacific Islands, and Europe; and

21 WHEREAS, former Secretary of State Hilary Clinton and President Barack Obama have
22 witnessed atrocities now reaching genocide status against Christians and other faiths which have
23 dramatically increased under their terms of office; and

24 WHEREAS, Secretary Clinton and President Obama have failed to ensure the appropriate
25 refugee status for victims of genocide:

26 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Ninety-
27 First Legislature of the State of South Dakota, the Senate concurring therein, that the Legislature
28 recognizes that Christians and Yazidis in Iraq, Syria, Pakistan, Iran, and Libya are targets of
29 persecution and encourages other nations to likewise recognize the ongoing threat of genocide
30 to these people; and

31 BE IT FURTHER RESOLVED, that such persecution of Christians as targets of genocide
32 who are seeking admission to the United States as immigrants or refugees should be given
33 priority and expedited refugee processing; and

1 BE IT FURTHER RESOLVED, that the persecution of Christians and Yazidis in Iraq, Syria,
2 Pakistan, Iran, and Libya constitutes an unforeseen emergency refugee situation, and the
3 admission of such persecuted individuals in response to that situation is of grave humanitarian
4 concern; and

5 BE IT FURTHER RESOLVED, that the secretary of Homeland Security shall provide for
6 the expedited processing of the visas for such Christians and Yazidis and shall ensure that such
7 applications receive first priority among applications for refugee immigration status; and

8 BE IT FURTHER RESOLVED, that the Legislature supports H.R. 4017 which would
9 provide emergency admission of refugees and immigrants to persecuted Christians and Yazidis;
10 and

11 BE IT FURTHER RESOLVED, that the chief clerk of the House of Representatives prepare
12 and forward appropriate copies of this resolution to the President of the United States of
13 America, the speaker and clerk of the United States House of Representatives, and the president
14 and secretary of the United States Senate.

15 Was read the first time and referred to the Committee on State Affairs.

16 Rep. Gosch moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on
17 Friday, February 19, the 24th legislative day.

18 Which motion prevailed.

19 CONSIDERATION OF REPORTS OF COMMITTEES

20 Rep. Gosch moved that the reports of the Standing Committees on

21 Joint Committee on Appropriations on HB 1047 as found on page 408 of the House
22 Journal; also

23 State Affairs on HB 1161 as found on page 408 of the House Journal; also

24 Judiciary on HB 1132 as found on page 411 of the House Journal; also

25 Judiciary on HB 1133 as found on page 411 of the House Journal; also

26 Judiciary on HB 1167 as found on page 411 of the House Journal; also

27 Judiciary on HB 1243 as found on page 412 of the House Journal be adopted.

28 Which motion prevailed.

1 **FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS**

2 SB 114: FOR AN ACT ENTITLED, An Act to make an appropriation for certain costs
3 related to the commissioning of the USS South Dakota and to declare an emergency.

4 Was read the first time and the Speaker waived the referral to the standing committee
5 pursuant to Joint Rule 6D-1.

6 SB 142: FOR AN ACT ENTITLED, An Act to authorize certain disclosures of mental
7 health information to law enforcement.

8 Was read the first time and referred to the Committee on Judiciary.

9 **SECOND READING OF CONSENT CALENDAR ITEMS**

10 Pursuant to House Rule 7-1, the Speaker removed SB 8 from the Consent Calendar.

11 HB 1238: FOR AN ACT ENTITLED, An Act to revise the powers and duties of the
12 Executive Board of the Legislative Research Council.

13 Was read the second time.

14 The question being "Shall HB 1238 pass?"

15 And the roll being called:

16 Yeas 68, Nays 1, Excused 1, Absent 0

17 Yeas:

18 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
19 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggar (Don);
20 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
21 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;
22 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;
23 Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer; Schoenbeck; Schoenfish; Schrempp;
24 Sly; Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik;
25 Willadsen; Wollmann; Zikmund; Speaker Wink

26 Nays:

27 Russell

28 Excused:

29 Kaiser

1 So the bill having received an affirmative vote of a majority of the members-elect, the
2 Speaker declared the bill passed and the title was agreed to.

3 **SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

4 HB 1182: FOR AN ACT ENTITLED, An Act to increase the state sales tax, the state use
5 tax, the excise tax on farm machinery, and amusement device tax for the purpose of increasing
6 education funding and reducing property taxes, and to declare an emergency.

7 Having had its second reading was up for consideration and final passage.

8 The question now being on Rep. Partridge's pending motion to amend HB 1182 as found
9 on page 364 of the House Journal.

10 Which motion prevailed.

11 1182cg

12 Rep. Mickelson moved that HB 1182 be further amended as follows:

13 On page 6, between lines 23 and 24 of the printed bill, insert:

14 " Section 18. That § 13-8-47 be amended to read:

15 13-8-47. Before the first day of August every school board shall file an annual report with
16 the Department of Education. The report shall contain all the educational and financial
17 information and statistics of the school district as requested in a format established by the
18 Department of Education. The report shall also contain, for each month of the fiscal year, the
19 month-end cash balances of the school district's general fund, capital outlay fund, pension fund,
20 and special education fund. The report shall also contain the following information for the
21 district from the preceding fiscal year:

22 (1) Total teacher compensation, which is the total amount spent on instructional salaries
23 and benefits for certified instructional staff;

24 (2) The total amount spent on instructional salaries for certified instructional staff;

25 (3) The total amount spent on benefits for certified instructional staff;

26 (4) The total number of certified instructional staff employed by the school district; and

27 (5) Any other information necessary to comply with the provisions of this Act.

1 The business manager with assistance of the secretary of the Department of Education shall
2 make the annual report, and it shall be approved by the school board. The business manager
3 shall sign the annual report and file a copy with the Department of Education as provided in
4 § 13-13-37. The division shall audit the report and return one copy to the school district.

5 Reports not filed prior to August thirtieth are considered past due and are subject to the past-
6 due provisions of § 13-13-38.

7 Section 19. That the code be amended by adding a NEW SECTION to read:

8 The Department of Education shall calculate the following for each school district:

9 (1) The average teacher salary, based on data collected pursuant to §§ 13-8-47 and
10 13-3-51;

11 (2) The increase in state aid to general education funding, excluding any effect due to
12 change in the school district's fall enrollment and less the amount of revenue
13 generated in school fiscal year 2016 pursuant to § 13-10-6 as a percentage increase,
14 from fiscal year 2016 to fiscal year 2017; and

15 (3) The increase in average teacher compensation as a percentage increase, as defined in
16 § 13-8-47, from fiscal year 2016 to fiscal year 2017.

17 For each school district, the district's increase in average teacher compensation from fiscal
18 year 2016 to 2017 shall be equal to at least eighty-five percent of the district's increase in state
19 aid to general education funding, as defined in subdivision (2), from fiscal year 2016 to fiscal
20 year 2017.

21 If a school district fails to comply with the requirements of this section, state aid to general
22 education funding to the district in fiscal year 2018 shall be decreased by an amount equal to
23 fifty percent of the amount calculated in subdivision (2). For fiscal years 2019, 2020, and 2021,
24 if a district's average teacher compensation is less than the district's average teacher
25 compensation in fiscal year 2017, state aid to general education funding to the district in the
26 following fiscal year shall be reduced by an amount equal to five hundred dollars for each
27 teacher employed in the school district.

28 A school district may request a waiver from any penalty imposed under this section from
29 the School Finance Accountability Board created in section 20 of this Act.

30 Section 20. That the code be amended by adding a NEW SECTION to read:

31 There is hereby created the School Finance Accountability Board within the Department of
32 Education. The board shall consist of five members appointed by the Governor. The members
33 shall serve a term of four years. The board may recommend that a penalty against a school
34 district imposed under section 19 of this Act be waived, in whole or in part, if the district can
35 demonstrate that its failure to comply with section 19 of this Act is due to special circumstances.

1 The School Finance Accountability Board shall promulgate rules, pursuant to chapter 1-26,
2 to establish the appeals process provided for in section 19 of this Act, and to establish the
3 factors that may be taken into account when considering a waiver requested by a school district,
4 which shall include the impact of retirements.

5 Any waiver recommended by the School Finance Accountability Board must be approved
6 by the Joint Committee on Appropriations or the Interim Committee on Appropriations. The
7 Department of Education shall annually report to the Governor and the Legislature the
8 information collected pursuant to § 13-8-47 and section 19 of this Act."

9 Which motion prevailed.

10 1182of

11 Rep. Schoenbeck moved that HB 1182 be further amended as follows:

12 On page 6 of the printed bill, delete lines 21 to 23, inclusive, and insert:

13 " Section 17. That the code be amended by adding a NEW SECTION to read:

14 From the proceeds of this Act, each year sixty-three percent shall be dedicated to increasing
15 teacher salaries by school districts, thirty-four percent shall be dedicated to reducing the property
16 tax levies for general education for all classes of property, and three percent shall be dedicated
17 to increasing instructor salaries to competitive levels at postsecondary technical institutes.

18 Section 18. That the code be amended by adding a NEW SECTION to read:

19 The presidents of the postsecondary technical institutes, acting pursuant to rules established
20 by the State Board of Education, shall use the money provided pursuant to this Act to increase
21 instructor salaries at each postsecondary technical institute."

22 A roll call vote was requested and supported.

23 The question being on Rep. Schoenbeck's motion that HB 1182 be amended.

24 And the roll being called:

25 Yeas 38, Nays 31, Excused 1, Absent 0

26 Yeas:

27 Anderson; Beal; Conzet; Deutsch; DiSanto; Dryden; Harrison; Hawks; Hawley; Holmes;
28 Hunhoff (Jean); Jensen (Alex); Johns; Kirschman; Klumb; McCleerey; Mickelson;
29 Munsterman; Novstrup (Al); Peterson (Kent); Rasmussen; Ring; Romkema; Rounds; Rozum;
30 Schoenbeck; Schoenfish; Sly; Soli; Solum; Steinhauer; Stevens; Tulson; Werner; Willadsen;
31 Wollmann; Zikmund; Speaker Wink

1 Nays:

2 Bartling; Bolin; Bordeaux; Brunner; Campbell; Craig; Cronin; Duvall; Feickert; Gibson; Gosch;
3 Greenfield (Lana); Haggar (Don); Haugaard; Heinemann (Leslie); Hunt; Killer; Langer;
4 Latterell; Marty; May; Otten (Herman); Partridge; Qualm; Russell; Schaefer; Schrempp; Stalzer;
5 Verchio; Westra; Wiik

6 Excused:

7 Kaiser

8 So the motion having received an affirmative vote of a majority of the members present,
9 the Speaker declared the motion carried.

10 Rep. Langer moved the previous question.

11 Which motion prevailed.

12 The question being "Shall HB 1182 pass as amended?"

13 And the roll being called:

14 Yeas 46, Nays 23, Excused 1, Absent 0

15 Yeas:

16 Anderson; Bartling; Bolin; Bordeaux; Conzet; Cronin; Deutsch; Dryden; Duvall; Feickert;
17 Gibson; Harrison; Hawks; Hawley; Holmes; Hunhoff (Jean); Jensen (Alex); Johns; Killer;
18 Kirschman; McCleerey; Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge;
19 Peterson (Kent); Rasmussen; Ring; Romkema; Rozum; Schaefer; Schoenbeck; Schoenfish;
20 Schrempp; Sly; Soli; Solum; Steinhauer; Stevens; Tulson; Werner; Willadsen; Wollmann;
21 Zikmund; Speaker Wink

22 Nays:

23 Beal; Brunner; Campbell; Craig; DiSanto; Gosch; Greenfield (Lana); Haggar (Don); Haugaard;
24 Heinemann (Leslie); Hunt; Klumb; Langer; Latterell; Marty; May; Qualm; Rounds; Russell;
25 Stalzer; Verchio; Westra; Wiik

26 Excused:

27 Kaiser

28 So the bill not having received an affirmative vote of a two-thirds majority of the members-
29 elect, the Speaker declared the bill lost.

30 Rep. Schoenbeck announced his intention to reconsider the vote by which HB 1182 lost.

1 HB 1204: FOR AN ACT ENTITLED, An Act to provide a sales and use tax exemption for
2 certain nonprofit corporations created for the purpose of fire protection.

3 Was read the second time.

4 The question being "Shall HB 1204 pass as amended?"

5 And the roll being called:

6 Yeas 67, Nays 1, Excused 2, Absent 0

7 Yeas:

8 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Deutsch;
9 DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Hagggar (Don); Harrison;
10 Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt; Jensen (Alex);
11 Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey; Mickelson;
12 Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Rasmussen;
13 Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish; Schrempp; Sly;
14 Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen;
15 Wollmann; Zikmund; Speaker Wink

16 Nays:

17 Verchio

18 Excused:

19 Cronin; Kaiser

20 So the bill having received an affirmative vote of a majority of the members-elect, the
21 Speaker declared the bill passed and the title was agreed to.

22 HB 1177: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning tax
23 incentives for certain energy facilities.

24 Was read the second time.

25 The question being "Shall HB 1177 pass as amended?"

26 And the roll being called:

27 Yeas 54, Nays 15, Excused 1, Absent 0

1 Yeas:

2 Anderson; Bartling; Beal; Bordeaux; Conzet; Cronin; Deutsch; Dryden; Duvall; Feickert;
3 Gibson; Haggart (Don); Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes;
4 Hunhoff (Jean); Hunt; Jensen (Alex); Johns; Killer; Kirschman; Latterell; McCleerey;
5 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent);
6 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish;
7 Schrempp; Sly; Soli; Solum; Steinhauer; Stevens; Tulson; Werner; Wiik; Willadsen; Wollmann;
8 Zikmund; Speaker Wink

9 Nays:

10 Bolin; Brunner; Campbell; Craig; DiSanto; Gosch; Greenfield (Lana); Klumb; Langer; Marty;
11 May; Qualm; Stalzer; Verchio; Westra

12 Excused:

13 Kaiser

14 So the bill having received an affirmative vote of a two-thirds majority of the members-
15 elect, the Speaker declared the bill passed and the title was agreed to.

16 HB 1206: FOR AN ACT ENTITLED, An Act to authorize the use of handguns in the
17 hunting of game birds.

18 Was read the second time.

19 Rep. Westra moved that HB 1206 be deferred to Friday, February 19, the 24th legislative
20 day.

21 Which motion prevailed.

22 HB 1024: FOR AN ACT ENTITLED, An Act to make an appropriation for the
23 maintenance and repair of state owned dams and to declare an emergency.

24 Was read the second time.

25 The question being "Shall HB 1024 pass?"

26 And the roll being called:

27 Yeas 67, Nays 2, Excused 1, Absent 0

1 Yeas:

2 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
3 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);
4 Harrison; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt; Jensen (Alex);
5 Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey; Mickelson;
6 Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Rasmussen;
7 Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish; Schrempp; Sly;
8 Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen;
9 Wollmann; Zikmund; Speaker Wink

10 Nays:

11 Haugaard; Verchio

12 Excused:

13 Kaiser

14 So the bill having received an affirmative vote of a two-thirds majority of the members-
15 elect, the Speaker declared the bill passed and the title was agreed to.

16 HB 1209: FOR AN ACT ENTITLED, An Act to require any public body of the state to
17 accept as valid all information on a person's birth certificate.

18 Was read the second time.

19 Rep. Gosch moved that HB 1209 be deferred to Friday, February 19, the 24th legislative
20 day.

21 Which motion prevailed.

22 HB 1244: FOR AN ACT ENTITLED, An Act to revise provisions related to the sex
23 offender registry

24 Was read the second time.

25 The question being "Shall HB 1244 pass?"

26 And the roll being called:

27 Yeas 63, Nays 6, Excused 1, Absent 0

1 Yeas:

2 Anderson; Bartling; Beal; Bolin; Bordeaux; Campbell; Conzet; Craig; Cronin; Deutsch;
3 DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggart (Don); Harrison;
4 Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt; Jensen (Alex);
5 Johns; Killer; Kirschman; Klumb; Langer; May; McCleerey; Mickelson; Munsterman; Novstrup
6 (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Rasmussen; Ring; Romkema;
7 Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steinhauer;
8 Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann; Zikmund; Speaker Wink

9 Nays:

10 Brunner; Latterell; Marty; Russell; Schoenbeck; Verchio

11 Excused:

12 Kaiser

13 So the bill having received an affirmative vote of a majority of the members-elect, the
14 Speaker declared the bill passed and the title was agreed to.

15 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

16 Rep. Gosch moved that the balance of the calendar including SB 2, 34, 120, and 63 be
17 deferred to Friday, February 19, the 24th legislative day.

18 Which motion prevailed.

19 There being no objection, the House reverted to Order of Business No. 5.

20 **REPORTS OF STANDING COMMITTEES**

21 MR. SPEAKER:

22 The Committee on Legislative Procedure respectfully reports that HB 1087, 1089, and
23 1113 were delivered to his Excellency, the Governor, for his approval at 11:00 a.m.,
24 February 18, 2016.

25 Also MR. SPEAKER:

26 The Committee on Legislative Procedure respectfully reports that HB 1210 was delivered
27 to his Excellency, the Governor, for his approval at 2:12 p.m., February 18, 2016.

1 Also MR. SPEAKER:

2 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing
3 and Enrolling has carefully compared HB 1010, 1013, 1014, 1081, 1082, 1105, and 1170 and
4 finds the same correctly enrolled.

5 Respectfully submitted,
6 Dean Wink, Chair

7 **SIGNING OF BILLS**

8 The Speaker publicly read the title to

9 HB 1010: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the
10 development of park and recreational improvements on lands leased to the Department of Game,
11 Fish and Parks.

12 HB 1013: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding
13 alternative instruction achievement tests for children excused from school attendance.

14 HB 1014: FOR AN ACT ENTITLED, An Act to authorize the sale of certain surplus real
15 estate and to provide for the deposit of the proceeds.

16 HB 1081: FOR AN ACT ENTITLED, An Act to make an appropriation to fund tax refunds
17 for elderly persons and persons with a disability, to revise the income eligibility requirements
18 for property and sales tax refunds, and to declare an emergency.

19 HB 1082: FOR AN ACT ENTITLED, An Act to codify the list of navigable streams
20 requiring gates.

21 HB 1105: FOR AN ACT ENTITLED, An Act to give the court discretion to grant a
22 continuance of a protection order in certain situations.

23 HB 1170: FOR AN ACT ENTITLED, An Act to make an appropriation to reimburse
24 certain eligible health care professionals who have complied with the requirements of the rural
25 health care facility recruitment assistance program and to declare an emergency.

26 And signed the same in the presence of the House.

COMMEMORATIONS

HC 1012 Introduced by: Representatives Craig, Anderson, Bartling, Beal, Bolin, Bordeaux, Brunner, Campbell, Conzet, Cronin, Deutsch, DiSanto, Dryden, Duvall, Feickert, Gibson, Gosch, Greenfield (Lana), Haggar (Don), Harrison, Haugaard, Hawks, Hawley, Heinemann (Leslie), Holmes, Hunhoff (Jean), Hunt, Jensen (Alex), Johns, Killer, Kirschman, Klumb, Langer, Latterell, Marty, May, McCleerey, Mickelson, Munsterman, Novstrup (Al), Otten (Herman), Partridge, Peterson (Kent), Qualm, Rasmussen, Ring, Romkema, Rounds, Rozum, Russell, Schaefer, Schoenbeck, Schoenfish, Schrempp, Sly, Soli, Solum, Stalzer, Steinhauer, Stevens, Verchio, Werner, Westra, Wiik, Willadsen, Wink, Wollmann, and Zikmund and Senators Jensen (Phil), Bradford, Brown, Buhl O'Donnell, Cammack, Curd, Fiegen, Frerichs, Greenfield (Brock), Haggar (Jenna), Haverly, Heinert, Holien, Hunhoff (Bernie), Monroe, Novstrup (David), Olson, Omdahl, Otten (Ernie), Peterson (Jim), Rampelberg, Rusch, Shorma, Soholt, Solano, Sutton, Tidemann, Tieszen, Van Gerpen, Vehle, and White

A LEGISLATIVE COMMEMORATION, Recognizing and honoring the bravery of South Dakota Highway Patrol Trooper Zachary Bader.

WHEREAS, Trooper Bader has been a Highway Patrol trooper for ten years and is currently stationed in Rapid City; and

WHEREAS, while serving in the line of duty, Trooper Bader sustained serious but non-life threatening injuries on October 24, 2015; and

WHEREAS, Trooper Bader was released from the hospital on November 6, 2015, and is currently recovering at home with his family; and

WHEREAS, Trooper Bader is appreciative of the support given to him and his family and has given some of the donations he has received to others in need; and

WHEREAS, all of his family, friends, and colleagues anxiously await the day when Trooper Bader returns to duty:

NOW, THEREFORE, BE IT COMMEMORATED, by the Ninety-First Legislature of the State of South Dakota, that the Legislature commends Highway Patrol Trooper Zachary Bader for his service and commitment to the people of South Dakota and his fellow officers.

Rep. Anderson moved that the House do now adjourn, which motion prevailed and at 4:53 p.m. the House adjourned.

Arlene Kvislen, Chief Clerk